



SYNOPSIS

Senate Bills and Joint Resolutions 2015 Maryland General Assembly Session

January 26, 2015
Schedule 9

PLEASE NOTE: January 27 – Bill request deadline.
February 6 – Bill introduction deadline.
All bills should be given to the Secretary of the Senate's office by 5:00 P.M. on Monday, February 9.
As required by Senate Rule 32(b), bills introduced after this date will be referred to the Senate Rules Committee.

SENATE BILL INTRODUCED *January 23, 2015*

SB 79 The President (By Request – Administration)

CREATION OF A STATE DEBT – QUALIFIED ZONE ACADEMY BONDS

Authorizing the creation of a State Debt in the amount of \$4,625,000, the proceeds to be used as grants to the Interagency Committee on School Construction and the Maryland State Department of Education for the renovation, repair, and capital improvements of qualified zone academies; providing for disbursement of the loan proceeds and the further grant of funds to eligible school systems for specified purposes, subject to a requirement that the grantees document the provision of a required matching fund; etc.

EFFECTIVE JUNE 1, 2015

Assigned to: Budget and Taxation

Department of Legislative Services

90 State Circle, Annapolis, Maryland 21401-1991

Baltimore Area: 410-946-5400 — Washington Area: 301-970-5400

Other Maryland Areas: 1-800-492-7122 — Maryland Relay Service: 1-800-735-2258

SENATE BILLS INTRODUCED January 26, 2015**SB 80****Senator Astle**

GENERAL PROVISIONS – COMMEMORATIVE DAYS – WELCOME HOME VIETNAM VETERANS DAY

Establishing March 30 as Welcome Home Vietnam Veterans Day in recognition of the service and sacrifice of Vietnam veterans from the State of Maryland.

EFFECTIVE OCTOBER 1, 2015

GP, § 7-402 - added

Assigned to: Education, Health, and Environmental Affairs

SB 81**Senator Getty**

CARROLL COUNTY – PROPERTY TAX CREDIT – BUC’S PLEASURE CLUB

Authorizing the governing body of Carroll County to grant a property tax credit for specified real property owned by Buc’s Pleasure Club; and applying the Act to taxable years beginning after June 30, 2015.

EFFECTIVE JUNE 1, 2015

TP, § 9-308(b) - amended

Assigned to: Budget and Taxation

SB 82**Senators Brochin and Mathias**

CRIMINAL LAW – SECOND-DEGREE MURDER – PENALTY

Increasing, from 30 years to 40 years, the maximum term of imprisonment that may be imposed for the offense of second-degree murder.

EFFECTIVE OCTOBER 1, 2015

CR, § 2-204 - amended

Assigned to: Judicial Proceedings

SB 83 Senator Simonaire**DEPARTMENT OF NATURAL RESOURCES – VIBRIO NOTICE REGULATIONS**

Requiring the Department of Natural Resources by regulation to provide for the inclusion of a Vibrio notice with specified recreational tidal fishing licenses, crabbing licenses, and certificates of boat number; authorizing the Department by regulation to provide for the inclusion of a Vibrio notice with specified other licenses or authorizations; and specifying the minimum information that a Vibrio notice must contain.

EFFECTIVE JULY 1, 2015

NR, § 4-222 - added

Assigned to: Education, Health, and Environmental Affairs

SB 84 Senator Simonaire**RULES OF THE ROAD – DUTY TO REMAIN AT SCENE OF ACCIDENT – PENALTIES**

Increasing, from 10 years to 15 years, the maximum penalty for failing to remain at the scene of a specified vehicle accident that results in the death of another person.

EFFECTIVE OCTOBER 1, 2015

TR, § 27-113 - amended

Assigned to: Judicial Proceedings

SB 85 Senator Simonaire**CLEAN WATERWAYS TAX CREDIT ACT**

Allowing an individual a credit against the State income tax for the purchase price of equipment used to install or maintain a floating garden; providing that the credit may not exceed a specified amount; providing that the credit may not be carried forward to another taxable year; and applying the Act to taxable years beginning after December 31, 2014.

EFFECTIVE JULY 1, 2015

TG, § 10-724.2 - added

Assigned to: Budget and Taxation

SB 86 Senator Simonaire**PUBLIC SAFETY – HIT AND RUN SUSPECTS – YELLOW ALERT PROGRAM**

Requiring the Department of State Police to establish a Yellow Alert Program to provide a system for rapid dissemination of specified information to assist in locating and apprehending specified missing persons suspected of failing to remain at the scene of a vehicle accident under specified circumstances; requiring the Department to adopt specified guidelines and develop specified procedures for issuing a Yellow Alert; etc.

EFFECTIVE OCTOBER 1, 2015

PS, § 3-606 - added

Assigned to: Judicial Proceedings

SB 87 Chair, Judicial Proceedings Committee (By Request – Maryland Judicial Conference)**CRIMINAL PROCEDURE – TRANSFER TO JUVENILE COURT – PETITION FOR EXPUNGEMENT**

Requiring a petition for expungement of a criminal charge that has been transferred to the juvenile court to be filed in the court of original jurisdiction from which the order of transfer was entered.

EFFECTIVE OCTOBER 1, 2015

CP, §§ 10-105(b) and 10-106 - amended

Assigned to: Judicial Proceedings

SB 88 Senator Astle**NATURAL RESOURCES – GAME BIRDS – BAITING**

Altering the prohibition against a person hunting specified game birds by the aid of baiting or on or over a baited area to require that the person know or reasonably should know that the area is a baited area before a violation occurs.

EFFECTIVE OCTOBER 1, 2015

NR, § 10-412 - amended

Assigned to: Education, Health, and Environmental Affairs

SB 89 **Senator Astle****CITY OF ANNAPOLIS – ALCOHOLIC BEVERAGES – ELECTION DAYS**

Adding the City of Annapolis to the list of subdivisions in which a holder of an alcoholic beverages license may exercise all of the privileges conferred by that license on the day of any election in that subdivision.

EFFECTIVE JULY 1, 2015

Art. 2B, § 11-401(b) - amended

Assigned to: Education, Health, and Environmental Affairs

SB 90 **Senator Kelley, et al****GUARDIANSHIP, ADVANCE DIRECTIVES, AND SURROGATES –
DISABLED PERSONS AND MENTAL HEALTH SERVICES**

Authorizing a court to appoint a guardian of the person of a disabled person for a limited period of time under specified circumstances; providing that a revocation of an advance directive for mental health services by a specified declarant is not effective until 72 hours after the request for revocation is made by the declarant; repealing the prohibition against surrogate decision makers authorizing treatment for a mental disorder; etc.

EFFECTIVE OCTOBER 1, 2015

ET, § 13-708(a) and (b) and HG, §§ 5-604 and 5-605(d) - amended

Assigned to: Judicial Proceedings

SB 91 **Senator Kelley, et al****CONTINUING CARE RETIREMENT COMMUNITIES – CONTINUING
CARE AGREEMENTS – ACTUARIAL STUDIES**

Altering the contents of a renewal application for a continuing care retirement community by requiring that actuarial studies reviewed by qualified actuaries be submitted at least every 3 years and 5 years for specified continuing care agreements; etc.

EFFECTIVE OCTOBER 1, 2015

HU, §§ 10-401 and 10-413(a) - amended

Assigned to: Finance

SB 92 **Senator Middleton****HEALTH INSURANCE – ASSIGNMENT OF BENEFITS AND REIMBURSEMENT OF NONPREFERRED PROVIDERS – REPEAL OF TERMINATION DATE**

Repealing the termination date of specified provisions of law relating to the assignment of benefits and reimbursement of nonpreferred providers.

EFFECTIVE JUNE 1, 2015

Chapter 537 of the Acts of 2010, § 7 - amended

Assigned to: Finance

SB 93 **Senator Kelley, et al****CIVIL ACTION – WRONGFULLY SELLING OR FURNISHING ALCOHOLIC BEVERAGES**

Providing that a civil action for specified damages may be brought under specified circumstances against an alcoholic beverages licensee or the licensee's employee who sells or furnishes alcoholic beverages to an individual who was visibly under the influence of alcoholic beverages and who negligently drove or attempted to drive a motor vehicle after consuming the alcoholic beverages; etc.

EFFECTIVE OCTOBER 1, 2015

CJ, §§ 3-2101 through 3-2105 - added and § 5-105 - amended

Assigned to: Judicial Proceedings

SB 94 **Senator Ferguson, et al****STATE GOVERNMENT – AUTOMATED MAPPING–GEOGRAPHIC INFORMATION SYSTEMS – SYSTEM SERVICES COSTS**

Repealing the authority of specified governmental units to adopt a fee structure to cover specified costs for system services; altering a specified definition for the purpose of repealing the authority of specified governmental units to adopt a fee structure to cover specified costs relating to existing system products; repealing a requirement that a person must contract with a governmental unit for specified online access to geographic data; and making conforming changes.

EFFECTIVE JULY 1, 2015

SG, §§ 10-901 through 10-904 - amended and § 10-905 - repealed

Assigned to: Education, Health, and Environmental Affairs

SB 95 **Senators Klausmeier and Feldman****WORKERS' COMPENSATION – CHILDREN'S SCHOLARSHIP FUND – ESTABLISHMENT**

Establishing the Workers' Compensation Children's Scholarship Fund; requiring the Workers' Compensation Commission to impose, in addition to payment of specified compensation, a \$5000 assessment against an employer or its insurer per award of compensation; providing that assessments under the Act shall be paid to the Fund; authorizing the Joint Committee on Workers' Compensation Benefit and Insurance Oversight to award specified scholarship assistance to individuals who meet specified requirements; etc.

Preliminary analysis: local government mandate

EFFECTIVE OCTOBER 1, 2015

LE, §§ 9-751 and 10-401 through 10-403 and SF, § 6-226(a)(2)(ii)83. - added and SF, § 6-226(a)(2)(ii)81. and 82. - amended

Assigned to: Finance

SB 96 **Senator Norman, et al****ELECTION LAW – EARLY VOTING CENTERS – PARKING**

Requiring each early voting center to have sufficient parking on-site to accommodate the maximum number of voters expected to be present at the early voting center at one time.

EFFECTIVE JULY 1, 2015

EL, § 10-301.1 - amended

Assigned to: Education, Health, and Environmental Affairs

SB 97 **Senator Norman, et al****ELECTION LAW – DEATH OF VOTER BEFORE CANVASS – COUNTING OF BALLOT**

Requiring a ballot cast by a voter who dies before the ballot is canvassed to be counted in full unless a law or regulation requires that it be fully or partially rejected for a reason unrelated to the death of the voter; and making a conforming change.

EFFECTIVE JUNE 1, 2015

EL, § 11-302(d)(3) - amended and § 11-303.1 - added

Assigned to: Education, Health, and Environmental Affairs

SB 98 **Senator Norman, et al****VEHICLE LAWS – OPERATION OF VEHICLE WHEN APPROACHING A SERVICE VEHICLE**

Requiring drivers approaching a service vehicle that is stopped, standing, or parked on a highway and using specified visual signals, unless otherwise directed by a police officer or traffic control device, to change lanes into an available lane not immediately adjacent to the service vehicle under specified circumstances or to slow to a reasonable and prudent speed that is safe for existing weather, road, and vehicular or pedestrian traffic conditions.

EFFECTIVE OCTOBER 1, 2015

TR, § 21-405(e) - amended

Assigned to: Judicial Proceedings

SB 99 **Senator Norman, et al****CONGRESSIONAL DISTRICTING PROCESS**

Requiring the Department of Legislative Services to obtain specified census data, adjust the census data for specified purposes, and provide the census data to a temporary redistricting commission within a specified time period; creating a temporary redistricting commission; requiring the commission to use specified census data to prepare and adopt a districting plan for congressional districting within a specified time period; specifying that a specified districting plan is the plan for the State; etc.

CONTINGENT – EFFECTIVE OCTOBER 1, 2015

EL, §§ 8-6A-01 through 8-6A-04 - added

Assigned to: Education, Health, and Environmental Affairs

SB 100 **Senator Norman, et al****PUBLIC SAFETY – PERMIT TO CARRY, WEAR, OR TRANSPORT A HANDGUN – QUALIFICATIONS**

Clarifying that self-defense can qualify as a good and substantial reason to wear, carry, or transport a handgun for purposes of the issuance by the Secretary of State Police of a permit to carry, wear, or transport a handgun.

EFFECTIVE OCTOBER 1, 2015

PS, § 5-306(a) - amended

Assigned to: Judicial Proceedings

SB 101 Senator Manno**MARYLAND UNIFORM REAL PROPERTY TRANSFER-ON-DEATH (TOD) ACT**

Establishing the Maryland Uniform Real Property Transfer-on-Death (TOD) Act; authorizing an individual to transfer specified property to one or more beneficiaries effective at the transferor's death by a transfer-on-death deed; establishing that a transfer-on-death deed is revocable and nontestamentary; providing that the capacity required to make or revoke a transfer-on-death deed is the same as that required to make a will; etc.

EFFECTIVE OCTOBER 1, 2015

ET, §§ 18-101 through 18-202 - added

Assigned to: Judicial Proceedings

SB 102 Senator Peters (Chair, Joint Committee on Pensions)**STATE RETIREMENT AND PENSION SYSTEM – ACCUMULATED CONTRIBUTIONS OF NONVESTED FORMER MEMBERS**

Requiring specified accumulated contributions of nonvested former members to be transferred into a specified fund; and making conforming changes.

EFFECTIVE JULY 1, 2015

SP, §§ 21-303(a) and 21-311 - amended

Assigned to: Budget and Taxation

SB 103 Senator Peters (Chair, Joint Committee on Pensions)**JUDGES' RETIREMENT SYSTEM – MEMBERSHIP, ACCRUAL OF INTEREST, AND REEMPLOYMENT**

Clarifying that regular interest may not be paid on member contributions of specified members of the Judges' Retirement System under specified circumstances; providing that membership in the Judges' Retirement System for specified members ends under specified circumstances; repealing a limitation on when a member may withdraw accumulated contributions from the Judges' Retirement System; repealing a duplicative provision pertaining to the withdrawal of accumulated contributions from the Judges' Retirement System; etc.

EFFECTIVE JULY 1, 2015

SP, §§ 27-203, 27-204, 27-405, and 27-406 - amended

Assigned to: Budget and Taxation

SB 104 Senator Peters (Chair, Joint Committee on Pensions)**CORRECTIONAL OFFICERS' RETIREMENT SYSTEM – MEMBERSHIP**

Altering the positions eligible for membership in the Correctional Officers' Retirement System to include specified individuals who elect to transfer from the Employees' Retirement System; authorizing specified individuals to cease membership in the Employees' Retirement System and enroll in the Correctional Officers' Retirement System; authorizing specified individuals to transfer service credit from the Employees' Retirement System to the Correctional Officers' Retirement System; etc.

EFFECTIVE JULY 1, 2015

SP, § 25-201 - amended

Assigned to: Budget and Taxation

SB 105 Senators Middleton and Conway**MARYLAND HOME BIRTH SAFETY ACT**

Establishing a licensing and regulatory system for the practice of direct-entry midwifery under the State Board of Nursing; establishing the Direct-Entry Midwifery Advisory Committee; requiring the Board to set fees for the issuance and renewal of licenses; requiring continuing education, peer review, and data submission as a condition of license renewal; providing specified health care providers with specified immunity from civil liability; defining specified terms; subjecting the Act to the Maryland Program Evaluation Act; etc.

EFFECTIVE JUNE 1, 2015

HO, Various Sections - amended and added and SG, § 8-405(b)(3) - amended

Assigned to: Education, Health, and Environmental Affairs

SB 106 Senator Astle**CHESAPEAKE BAY TRUST – INVESTMENT OPTIONS – EXPANSION**

Authorizing the Chesapeake Bay Trust to invest any money of the Trust in marketable equity securities, marketable equity-related mutual funds, or debt-related mutual funds; etc.

EFFECTIVE OCTOBER 1, 2015

NR, § 8-1909 - amended

Assigned to: Education, Health, and Environmental Affairs

SB 107 Senator Conway**PUBLIC SAFETY – HOTELS – CARBON MONOXIDE ALARMS**

Requiring specified hotels, on or after April 1, 2016, to install a specified carbon monoxide alarm inside each guest room within the hotel; authorizing the owner of a hotel to install a specified carbon monoxide alarm within a specified distance from carbon monoxide-producing fixtures and equipment within the hotel under specified circumstances; and making the Act an emergency measure.

EMERGENCY BILL

PS, §§ 12-1101, 12-1102, and 12-1104 - amended

Assigned to: Education, Health, and Environmental Affairs

SB 108 Senator Conway**STATE FINANCE AND PROCUREMENT – MARYLAND STATE BOARD OF CONTRACT APPEALS – MEMBERSHIP**

Altering the membership of the Maryland State Board of Contract Appeals; requiring the membership of the Appeals Board to reasonably reflect the geographic, racial, ethnic, cultural, and gender diversity of the State; specifying that at least one member of the Appeals Board have expertise concerning specified preferences under the procurement law; requiring that at least two members of the Appeals Board be licensed to practice law in the State; etc.

EFFECTIVE OCTOBER 1, 2015

SF, § 15-207 - amended

Assigned to: Education, Health, and Environmental Affairs

SB 109 Senator Conway**TASK FORCE TO STUDY SMALL AND MINORITY DESIGN FIRM PARTICIPATION IN STATE PROCUREMENT**

Establishing the Task Force to Study Small and Minority Design Firm Participation in State Procurement; providing for the composition, chair, and staffing of the Task Force; prohibiting a member of the Task Force from receiving compensation, but authorizing the reimbursement of specified expenses; requiring the Task Force to determine specified measures; requiring the Task Force to report its findings and recommendations to the Governor and General Assembly on or before December 31, 2015; etc.

EFFECTIVE JUNE 1, 2015

Assigned to: Education, Health, and Environmental Affairs

SB 110 Senator Middleton**DEVELOPMENTAL DISABILITIES ADMINISTRATION – LOW INTENSITY SUPPORT SERVICES – DEFINITION**

Altering the definition of “low intensity support services” as it relates to the Low Intensity Support Services Program in the Developmental Disabilities Administration to include a child or an adult who is living in the home, or an adult who is living in the community, and who has a severe chronic disability that is attributable to a physical or mental impairment, other than the sole diagnosis of mental illness, or to a combination of physical and mental impairments and is likely to continue indefinitely; etc.

EFFECTIVE OCTOBER 1, 2015

HG, § 7-717 - amended

Assigned to: Finance

SB 111 Senator McFadden, et al**INMATES – LIFE IMPRISONMENT – PAROLE REFORM**

Repealing specified provisions that provide that inmates serving a term of life imprisonment may be paroled only with the Governor’s approval, subject to specified provisions; requiring specified parole decisions to be transmitted to the Governor under specified circumstances; authorizing the Governor to disapprove specified parole decisions in a specified manner; and providing that if the Governor does not disapprove a specified parole decision in a specified manner within a specified time period, the decision becomes effective.

EFFECTIVE OCTOBER 1, 2015

CS, §§ 4-305(b) and 7-301(d) - amended

Assigned to: Judicial Proceedings

SB 112 Senator McFadden**PUBLIC SERVICE COMMISSION – TAXICAB SERVICES – CONTRACT WITH BALTIMORE CITY BOARD OF SCHOOL COMMISSIONERS**

Prohibiting a taxicab business from charging more than a specified administrative rate when the taxicab business enters into a contract with the Baltimore City Board of School Commissioners to transport a passenger who is a student.

EFFECTIVE OCTOBER 1, 2015

PU, § 10-302 - added

Assigned to: Finance

SB 113 Senator McFadden**CREATION OF A STATE DEBT – BALTIMORE CITY – MOVEABLE FEAST**

Authorizing the creation of a State Debt not to exceed \$200,000, the proceeds to be used as a grant to the Board of Directors of the Moveable Feast, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Moveable Feast facility, located in Baltimore City; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; etc.

EFFECTIVE JUNE 1, 2015

Assigned to: Budget and Taxation

SB 114 Senator Reilly**STATE DESIGNATIONS – STATE TARTAN**

Designating a State tartan made up of a specified design and a specified thread count.

EFFECTIVE OCTOBER 1, 2015

GP, § 7-318.1 - added

Assigned to: Education, Health, and Environmental Affairs